

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SVOTHI, INC.,

Plaintiff-Counterclaim Defendant,

v.

DARK ALLEY MEDIA, LLC and
ROBERT FELT

Defendants-Counterclaim Plaintiffs.

No. 25 CV 0333 (ALC)

DECLARATION OF WESLEY M. MULLEN

I, Wesley M. Mullen, declare as follows:

1. By and through the entity incorporated as Mullen P.C., I am counsel of record to Plaintiff-Counterclaim Defendant SVOTHI Inc. in this case.

2. I make this declaration in support of SVOTHI's opposition to Defendants-Counterclaim Plaintiffs' motion for a preliminary injunction, and to place relevant documents before the Court.

3. Based on the evidence set forth in this declaration and in the accompanying declaration; and the argument set forth in Plaintiff's accompanying Memorandum of Law; and all other evidence and argument presented at a hearing or as the Court may otherwise see fit to hear in connection with this application, I request that the Court deny Defendants-Counterclaim Plaintiffs' Motion.

4. Annexed as **Exhibit A** is a true and correct copy of the Demand for Arbitration filed by Respondent before JAMS on January 16, 2025.

5. Annexed as **Exhibit B** is a true and correct copy of an email from JAMS dated February 6, 2025 informing the parties that it would not administer arbitration because

“JAMS is not named in the arbitration clause in this matter and [because] Respondent [VideoApp] does not wish to proceed.”

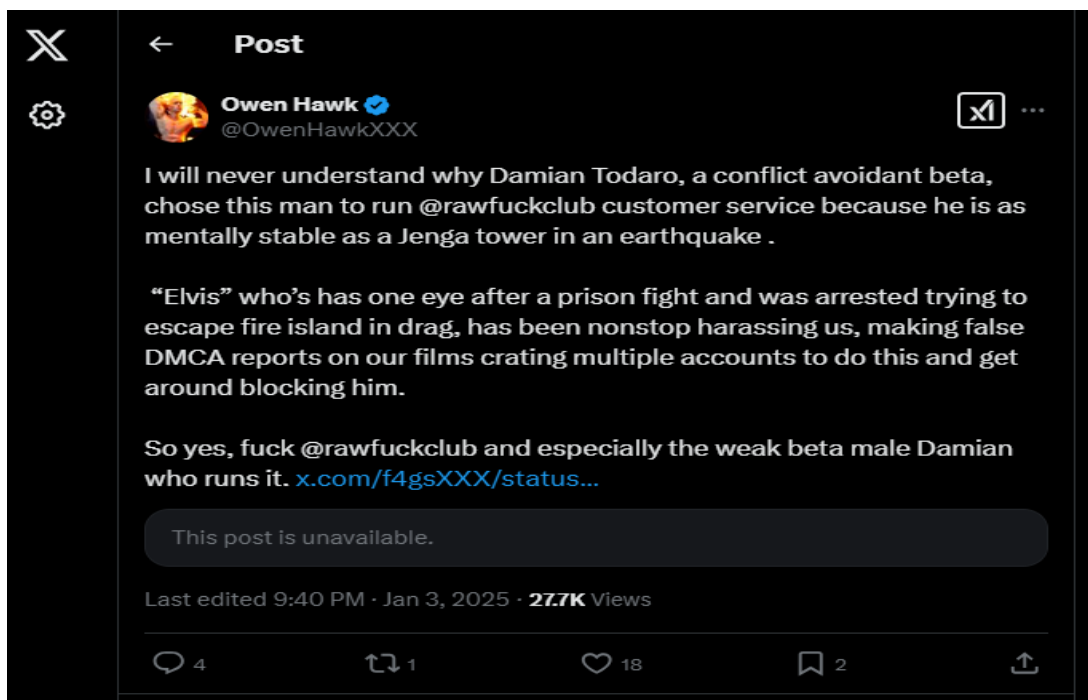
6. Annexed as **Exhibit C** is a true and correct copy of a Summons and Complaint filed by Defendants against VideoApp in Supreme Court, New York County, on January 31, 2025.

7. Annexed as **Exhibit D** a true and correct copy of a Petition filed by VideoApp Inc. against Dark Alley Media, LLC in Supreme Court, New York County, on February 5, 2025, along with excerpts of the publicly-filed materials submitted in support of the Petition.

8. The following is a true and correct reproduction of a post from the Twitter account of Dark Alley and its principal, Mr. Felt, (@owenhawkxxx), which is dated February 2, 2025:



9. The following is a true and correct reproduction of a post from the Twitter account of Dark Alley and its principal, Mr. Felt, (@owenhawkxxx), which is dated January 3, 2025:



10. The following is a true and correct reproduction of a post from the Twitter account of Dark Alley and its principal, Mr. Felt, (@owenhawkxxx), which is dated January 3, 2025:



11. The following is a true and correct reproduction of a post from the Twitter account of Dark Alley and its principal, Mr. Felt, (@owenhawkxxx), which is dated February 6, 2025:



12. The following is a true and correct reproduction of a post from the Twitter account of Dark Alley and its principal, Mr. Felt, (@owenhawkxxx), which is dated February 4, 2025:



13. As referenced in the Twitter post depicted above at paragraph 12, an article quoting Mr. Felt and concerning Dark Alley's various litigation maneuvers was published on February 5, 2025. J. Rohrlich, [*Porn star says his career was destroyed by false claims he nearly killed a dog with meth*](#), INDEPENDENT (February 5, 2025) (last visited February 5, 2025). A true and correct copy of the published article is annexed as **Exhibit E**.

14. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: February 12, 2024



Wesley M. Mullen